

### Remarks

Claims 1-9 were rejected solely on the basis of Section 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. The Examiner specifically rejected the limitation in claim 1 which recites "the dissecting member including at least one aperture being formed therein."

On February 20, 2004, one of applicant's attorneys, Renée C. Barthel, contacted the Examiner to request clarification as to the grounds for rejection. The Examiner clarified that, in her opinion, the original application did not disclose an aperture in the dissecting member, thus, forming the basis for the rejection of claims 1-9 under Section 112, first paragraph. During the conversation, applicant's attorney identified the location in the original application which provided adequate disclosure for "at least one aperture" in the dissecting member, although the actual terminology used in the specification is "a plurality of irrigation holes." The Examiner helpfully suggested that applicant's response to the Office Action specifically indicate the location of this disclosure and that this response would address the Section 112 rejection. The Examiner confirmed that no other rejections were outstanding as to the claims.

Accordingly, this response is being submitted to specifically identify the disclosure in the original application for the "aperture" of claim 1. The original specification discloses the subject matter of claim 1 in paragraph 173, on pages 53-54 and in Figs. 70-72. In line 8 of paragraph 173, the bullet dissector is described as including "a plurality of irrigation holes 312" which are also shown in Figs. 70-72. It is noted that the term "hole" may also be defined by the term "aperture", as used in claim 1. Thus, the "aperture" of claim 1 is disclosed within the original specification.

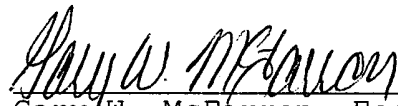
#### **Conclusion**

It is respectfully submitted that the above comments address all the outstanding rejections of claims 1-9, and that the claims are now in proper form for allowance. The rejections as to these claims should be withdrawn. Reconsideration is respectfully requested.

Respectfully submitted,

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